TOWN OF NEW WINDSOR

ZONING BOARD

June 13, 2011

MEMBERS PRESENT: MICHAEL KANE, CHAIRMAN

PATRICK TORPEY RICHARD HAMEL FRANCIS BEDETTI

ALSO PRESENT: ANDREW KRIEGER, ESQ.

ZONING BOARD ATTORNEY

NICOLE JULIAN

ZONING BOARD SECRETARY

ABSENT: HENRY SCHEIBLE

REGULAR MEETING:

MR. KANE: I'd like to call the Town of New Windsor Zoning Board of Appeals regular session for June 13, 2011 to order.

APPROVAL OF MINUTES DATED 4/25, 5/9 & 5/23/2011

MR. KANE: Motion to accept minutes of April 25, May 9 and May 23 as written.

MR. BEDETTI: So moved.

MR. HAMEL: Second it.

ROLL CALL

MR. BEDETTI AYE
MR. HAMEL AYE
MR. TORPEY AYE
MR. KANE AYE

PRELIMINARY MEETINGS:

APRIL KEAN (11-14)

MR. KANE: Preliminary meeting, April Kean. Request for sign variance for Brittany Terrace to have an existing real estate type freestanding sign which is not temporary and is not located entirely on the property to which the sign applies. The sign is on a vacant lot located at 647 Station Road.

Miss Kean is not here, we'll table that for the time being.

PUBLIC HEARINGS:

PETER PETRILLO (10-29)

MR. KANE: Tonight's first public hearing Peter Petrillo request for a variance to replace front porch which is 7 by 10 foot, required front yard depth is 45 feet. A variance of 7.5 feet is requested at 231 Margo Street in an R-4 zone. Mr. Petrillo?

MR. PETRILLO: Yes.

MR. KANE: Come on up. So as in the preliminary tell us exactly what you want to do.

MR. PETRILLO: Well, the current porch was flush with the house and it's falling apart and I just want to build a porch on the front of that comes out about 7 feet, put it about 35 feet from the property line. I have given up the building specs, I have given the proposal and pictures and I even had the inspector come down and take a look at it.

MR. KANE: Some questions might be obvious, got to ask them anyway. Cutting down any trees, substantial vegetation in the building of the deck?

MR. PETRILLO: Nothing.

MR. KANE: Creating water hazards or runoff?

MR. PETRILLO: No.

MR. KANE: Any easements where the proposed deck is?

MR. PETRILLO: No.

MR. KANE: The deck is going to take the place of your front steps. Without a deck, without some kind of landing there, it would be hazardous to step out your front door?

MR. PETRILLO: Well, I stepped out the front door last January and had surgery on both rotator cuffs.

MR. KANE: Hence the need to repair. The porch itself is not going to extend closer to the road than other homes that are on your block? So, for instance, that line going down the street that you see right here have to ask it the pictures are obvious but I have to ask

them for the record so that porch is not going to extend out further than the straight line of those homes?

MR. PETRILLO: Won't be out passed the homes, they're about 35 or 36 feet.

MR. KANE: And the request for the variance the seven foot is the width of it and 10 foot long, is that what we're doing?

MR. PETRILLO: Yes, it's going to be about seven feet out in front of the house and it's, it will be, well, right now, I have a mason coming to look at matching the house that was, that's there so it should be just part of it and the steps will still come out in front.

MR. KANE: That's actually the minimum requirement that you need to get that, it's not, it wouldn't be considered an oversized porch in your neighborhood?

MR. PETRILLO: No.

MR. KANE: At this point, we'll open it up to the rest of the board and ask if they have any questions? No questions. At this point, we'll open it up to the public, ask if there's anybody here for this particular hearing that would like to speak? Seeing as there's not, we'll close the public portion of the meeting bringing it back and asking how many mailings we had.

MS. JULIAN: On the 20th day of May, 2011, I mailed out 78 addressed envelopes with no written response.

MR. KANE: Okay.

MR. PETRILLO: And the guy that was here last time asked the questions didn't come this time.

MR. KANE: So he didn't have a problem.

MR. PETRILLO: I can't imagine what he would ask. What color is it going to be?

MR. KANE: Any further questions from the board?

MR. BEDETTI: Yes, how much further out from say see this picture here you're replacing the whole porch I'm assuming?

MR. PETRILLO: See these guys, that's the limit.

MR. BEDETTI: Then is this going to be flush with the ground?

MR. PETRILLO: This should be from here like that over and the steps will be coming down here and then this way the steps coming down this side there's a patio there.

MR. BEDETTI: I got it.

MR. PETRILLO: So you'll see the steps, it will just be moved out, no roof, no covering.

MR. BEDETTI: I got it.

MR. KANE: Any further questions?

MR. BEDETTI: No, I'm good.

MR. KANE: I'll accept a motion.

MR. HAMEL: I will make a motion that we grant Peter Petrillo's variance as requested.

MR. TORPEY: I'll second that.

ROLL CALL

MR. BEDETTI AYE
MR. HAMEL AYE
MR. TORPEY AYE
MR. KANE AYE

MS. JULIAN: I'll call you when it's ready, just give me a day or two.

MR. PETRILLO: Get in contact with you Wednesday or Thursday.

MS. JULIAN: Yeah, absolutely or I'll give you a call.

MR. KANE: Take care, Mr. Petrillo, have a good day.

MR. AND MRS. RUSSELL T. GANDT (11-13)

MR. KANE: Tonight's next public hearing Mr. and Mrs. Russell Gandt, single family dwelling with proposed breezeway and 24 x 32 garage. The variance request is for side yard of 10 feet and for the required total side yard of 6.9 foot located at 389 Cross Street.

MR. GANDT: Good evening.

MR. KANE: Same as the preliminary meeting, tell us exactly what you want to do.

MR. GANDT: We want to build a 24 x 32 garage on my property and I want to do it within 10 feet of the property line to keep it equal to other detached garages on my street which are built within five feet of the property line. But they were built a long time ago before there was any zoning rules or anything like that. I just want to try to keep it somewhat close to the way it's prepared or else it will look silly to have mine 20 feet in and everyone else's some of them are four feet in.

MR. TORPEY: The house next door is almost touching the property line.

MR. KANE: Yeah, I can see that.

MR. HAMEL: He will be farther back than the garage next door.

MR. KANE: Cutting down trees, substantial vegetation in the building of the garage?

MR. GANDT: No, sir.

MR. KANE: Creating any water hazards or runoffs?

MR. GANDT: No, sir.

MR. KANE: Any easements there in the area where the garage is?

MR. GANDT: No, sir.

MR. KANE: Actually, if you did move it back more towards behind the house that would require you to probably put down more blacktop for a driveway.

MR. GANDT: Well, close to the house you mean?

MR. KANE: Yes.

MRS. GANDT: He's saying farther back.

MR. KANE: If you moved it back.

MR. GANDT: Yeah, my drive, if I had to put it back I'd have to extend it another--

MR. KANE: Which would give us more of a surface coverage on your property.

MR. GANDT: Yeah, more developmental coverage on the property, yes.

MR. KANE: The size of the garage is similar to other garages in your neighborhood?

MR. GANDT: It's a little bit bigger, there are garages, you know, same size but on my block they are a little bit smaller to be honest.

MR. KANE: But in general same size and nature?

MR. GANDT: Yes, absolutely.

MR. KANE: I will ask the board if they have any further questions at the moment? Seeing as there's not, we'll bring it back to the public, open it open to the public, ask if there's anybody that wants to speak on this matter? We'll ask Nicole how many mailings we had.

MS. JULIAN: On the 24th day of May, 2011, I addressed 60 envelopes and received no written response.

MR. KANE: We'll close the public portion of the meeting and bring it back to the board for any further questions. No questions, I'll accept a motion.

MR. BEDETTI: I will make a motion that we grant Mr. and Mrs. Russell Gandt a variance of 10 feet side yard variance and a 6.9 foot total side yard variance all at 38 Cross Street in an R-4 zone for a proposed breezeway and garage.

MR. TORPEY: I'll second that.

ROLL CALL

MR.	BEDETTI	AYE
MR.	HAMEL	AYE
MR.	TORPEY	AYE
MR.	KANE	AYE

MS. JULIAN: Your next steps.

MR. KANE: Next set of hoops to jump through.

MS. JULIAN: I'll call you when it's ready.

MR. GANDT: Thank you very much.

FORMAL DECISIONS:

1. ANNA SANCHEZ

MR. KANE: We have one formal decision to vote on Anna Sanchez. I'll accept a motion for Anna Sanchez.

MR. BEDETTI: I'll make a motion that we accept the formal decision of Anna Sanchez identified as 11-10 as written.

MR. TORPEY: I'll second it.

ROLL CALL

MR. BEDETTI AYE
MR. HAMEL AYE
MR. TORPEY AYE
MR. KANE AYE

MR. KANE: April Kean, one more call. There's no April Kean. If you speak to her, she needs to have the church come in, it's their property, they have to come in and make the application for it.

Motion to adjourn?

MR. BEDETTI: So moved.

MR. HAMEL: Second it.

ROLL CALL

MR. BEDETTI AYE
MR. HAMEL AYE
MR. TORPEY AYE
MR. KANE AYE

Respectfully Submitted By:

Frances Roth Stenographer